

FILED BY *RAZ* D.C.

98 OCT 13 PM 2:58 IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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98 OCT -6 PM 4:00

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WESTERN DISTRICT OF TENNESSEE

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JOHN SAMMY SCOTT, III,  
deceased, by and through his  
next of kin, Mary Louise Scott,

Plaintiff,

vs.

NO. 98-2295 GA

JURY DEMANDED

SHELBY COUNTY, TENNESSEE,  
A.C. GILLESS, individually and in  
his official capacity as Sheriff of  
Shelby County, Tennessee,  
ROBERT SPRECHER, individually  
and in his official capacity as Director  
of the Shelby County Correctional Facility,  
OFFICER BLACKBURN, individually and  
in his official capacity as an officer  
and/or deputy jailer; JOHN DOES A, B, C, and D as  
OTHER UNKNOWN EMPLOYEES AND DEPUTIES  
OF THE SHELBY COUNTY CORRECTIONAL  
FACILITY, individually and in their official  
capacities; and JIM ROUT, individually and in  
his official capacity as Mayor of  
Shelby County, Tennessee,

Defendants.

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**ORDER ON DEFENDANTS, A.C. GILLESS'S MOTION FOR SUMMARY JUDGMENT**

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This cause came before the Court on the Motion to Dismiss and/or for Summary Judgment by Defendant, Sheriff A.C. Gilless. Based upon the affidavits and record in this cause the Court finds that Sheriff A.C. Gilless does not have supervision and control over the Shelby County Penal Farm, therefore is not a proper defendant in this cause.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that Sheriff A.C.

Gilless be dismissed as a party defendant in this cause.

Julia Smith Gibbons  
JUDGE JULIA S. GIBBONS

Date: October 13, 1998